

113TH CONGRESS
1ST SESSION

S. 664

To require reports by Federal Government entities regarding responses to Inspector General recommendations on potential cost-saving measures or on reimbursement for poor contractor performance, cost overruns, or other reasons, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2013

Mrs. SHAHEEN (for herself and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require reports by Federal Government entities regarding responses to Inspector General recommendations on potential cost-saving measures or on reimbursement for poor contractor performance, cost overruns, or other reasons, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Government Con-
5 tractor Accountability Act of 2013”.

1 **SEC. 2. REPORTS BY FEDERAL ENTITIES ON RESPONSES TO**
2 **INSPECTOR GENERAL RECOMMENDATIONS**
3 **ON POTENTIAL COST-SAVING MEASURES OR**
4 **REIMBURSEMENT FOR POOR CONTRACTOR**
5 **PERFORMANCE, COST OVERRUNS, OR OTHER**
6 **REASONS.**

7 (a) REPORTS.—

8 (1) FAILURES TO RESPOND, NON-CONCURS,
9 AND PARTIAL CONCURS.—Not later than 30 days
10 after the end of the 60-day period for an audited es-
11 tablishment to respond to a covered final audit re-
12 port submitted to the establishment by an Inspector
13 General under section 5 of the Inspector General
14 Act of 1978 (5 U.S.C. App.), or by the Special In-
15 spector General for Afghanistan Reconstruction, the
16 Special Inspector General for Iraq Reconstruction,
17 or any other Inspector General under applicable law,
18 or 30 days after the establishment responds to a
19 covered audit report with a non-concur or partial
20 concur response, the head of the establishment shall
21 submit to Congress a report with an explanation for
22 the failure to respond or the non-concur or partial
23 concur response.

24 (2) FULL CONCURS.—Not later than 180 days
25 after an establishment responds to a covered audit
26 report submitted to the establishment by an Inspec-

1 tor General under section 5 of the Inspector General
2 Act of 1978, or by the Special Inspector General for
3 Afghanistan Reconstruction, the Special Inspector
4 General for Iraq Reconstruction, or any other In-
5 spector General under applicable law, with a full
6 concur response, the head of the establishment shall
7 submit to Congress a report with a description of
8 the status of any open or pending recommendations
9 from the Inspector General, including any actions
10 taken to implement the recommendations.

11 (b) DEFINITIONS.—In this section:

12 (1) COVERED FINAL AUDIT REPORT.—The term
13 “covered final audit report” means a final audit re-
14 port issued by an Inspector General under the In-
15 spector General Act of 1978 or other applicable law
16 that includes a recommendation for an establishment
17 to implement cost-saving measures or to seek reim-
18 bursement for failure by a contractor or subcon-
19 tractor to successfully complete a contract due to
20 poor contractor performance, cost-overruns, or other
21 reasons that would, if implemented, result in at least
22 \$2,000,000 in savings.

23 (2) ESTABLISHMENT.—The term “establis-
24 ment” has the meaning given that term in section

1 12 of the Inspector General Act of 1978, except that
2 the term also includes the following:

3 (A) The Office of the Director of National
4 Intelligence.

5 (B) The Central Intelligence Agency.

6 (C) The Architect of the Capitol.

7 (D) The Government Accountability Office.

8 (E) The Government Printing Office.

9 (F) The Library of Congress.

10 (3) HEAD OF ESTABLISHMENT.—The term
11 “head of establishment” has the meaning given that
12 term in section 12 of the Inspector General Act of
13 1978, except that the term also includes the fol-
14 lowing:

15 (A) The Director of National Intelligence.

16 (B) The Director of the Central Intel-
17 ligence Agency.

18 (C) The Architect of the Capitol.

19 (D) The Comptroller General of the United
20 States.

21 (E) The Public Printer.

22 (F) The Librarian of Congress.